

APPLICATION NO.	P15/V1509/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	25.6.2015
PARISH	WOOTTON
WARD MEMBER(S)	Henry Spencer
APPLICANT	Mr & Mrs Roycroft
SITE	18 Manor Road, Wootton, OX13 6DG
PROPOSAL	Demolition of existing single storey rear extension. Erection of a two storey rear extension. Garage conversion to include omission of existing garage door in lieu of bay window.
AMENDMENTS	None
OFFICER	Penny Silverwood

SUMMARY

The application is referred to committee as Wootton Parish Council objects,

The proposal is to replace the existing conservatory with a two storey rear extension with single storey elements, to convert the garage into an additional bedroom and to replace the existing garage door with a bay window.

The main issues are:

- The impact on the visual amenity of the area, which is considered acceptable.
- The impact on the amenities of neighbouring properties, which is considered acceptable.
- Whether there is adequate off-street parking within the site, which it is considered there is.

The application is recommended for approval, subject to conditions.

1.0 INTRODUCTION

1.1 The property is a detached house located within the village of Wootton on a modern estate. To either side are similar modern detached houses, no.16 to the south and no.20 to the north. Vehicular access to the site is obtained from Manor Road which runs along the west boundary of the site. A copy of the site plan is **attached** at appendix 1.

1.2 The application comes to committee as Wootton Parish Council objects.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the replacement of an existing conservatory with a two storey rear extension with single storey elements. This will allow for the enlargement of living space on the ground floor and the enlargement of existing bedrooms on the first floor. The application also seeks conversion of the existing integral garage into an additional bedroom and replacing the existing garage door to a bay window on the front elevation.

2.2 In light of neighbour concerns and discussions with the case officer, amended plans

have been submitted reducing the projection of the proposed first floor element of the rear extension.

- 2.3 The ground floor element of the extension will project from the rear wall of the existing property by 3.2 metres and will be 8.5 metres wide. It will be flat roofed with a height of 3 metres. The second storey element of the extension will be situated in the centre of the ground floor extension and will project from the rear wall of the existing property by 2.2 metres. It will be 4.4 metres wide with a pitched gable roof. The ridge height will measure 7.1 metres and it will be 5.5 metres to the eaves. A copy of the application plans are **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1	Wootton Parish Council	Object – the loss of the garage is likely to result in additional road parking inconveniencing the rest of the community.
	Neighbour representations: 20 Manor Road	<p>13.07.2015 – First response Objection. The grounds for objections are:</p> <ul style="list-style-type: none"> - Overlooking - Loss of privacy due to new window on ground floor side elevation, new window on first floor rear elevation and roof windows on ground floor extension. - Loss of outlook and daylight from the main living area of no. 20 - Overshadowing - Does not comply with the 40 degree rule. - Visually overbearing - Insufficient room to carry out excavations and building work without possible damage to fence and planting at no. 20. - Loss of amenity in garden of no. 20. - Garage conversion will reduce storage and parking provision causing a road hazard. - Extension will be visible from the street. - Contravenes right to the quiet enjoyment of their property. <p>11.08.2015 – Second response Objection. The grounds for objection are:</p> <ul style="list-style-type: none"> - Extension breaches the BRE guidance 25 degree guidelines and further tests on daylight and sunliught should be carried out. - Reiteration of loss of privacy due to new ground floor window on side elevation <p>21.08.2015 – Third response Objection. The grounds for objection are:</p> <ul style="list-style-type: none"> - Reiteration of above objections - Loss of privacy due to rearrangement of existing first floor window on rear elevation. - Movement of this window will unfairly disadvantage the occupiers of no. 20 in terms of future extensions and the 40 degree rule.

	- Garage conversion will set a precedent for the area which will impact the visual and residential amenity of the area.
Highways Liaison Officer (Oxfordshire County Council)	No objections, subject to conditions
Thames Water Development Control	No objections

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P10/V0697](#) - Approved (26/05/2010)
Proposed garage conversion

[P10/V0501](#) - Other Outcome (23/03/2010)
Part garage conversion

[P02/V0975](#) - Approved (16/07/2002)
Erection of an extension to rear.

[P98/V1369](#) - Approved (08/12/1998)
Erection of a conservatory. (Plot 17).

[P98/V0804](#) - Approved (04/08/1998)
Erection of a conservatory. (Plot 42).

[P97/V0446](#) - Approved (11/12/1997)
Erection of 50 dwellings, garages and associated roads, sewers and public open space.

[P96/V0976/O](#) - Approved (16/04/1997)
Redevelopment of part of Industrial Estate and adjoining land to provide 50 residential units together with vehicular, pedestrian and cycle access, public open space and landscaping.

[P91/V0334/A](#) - Refused (09/01/1992)
Erection of two internally illuminated fascia signs and one internally illuminated box sign.

[P91/V0333/RM](#) - Approved (03/10/1991)
Landscaping works for business park, pursuant to Condition 4 of outline consent WTT/1002/32-X.

[P91/V0332/A](#) - Approved (24/06/1991)
Erection of 2 non illuminated fascia signs and 1 non illuminated box sign.

[P91/V0345/A](#) - Refused (20/02/1991)
Erection of 3 internally illuminated fascia signs.

[P87/V7014/O](#) - Approved (19/04/1989)
Development and partial redevelopment to provide a business park within Class B1 of the Town & Country Planning (use classes) Order 1971. (Site area approx 7.50 hectares).

[P89/V0393/A](#) - Approved (13/03/1989)

Erection of static, internally illuminated entrance sign.

[P79/V0266/COU](#) - Other Outcome (01/11/1984)

Change of use of buildings from warehouse to industrial (with offices and storage).

(Total floor space 21500 sq ft).

(Temporary office block to be demolished).

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework 2012 and National Planning Practice Guidance 2014

The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight. The NPPG provides supplementary guidance to the NPPF.

5.2 Vale of White Horse Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse Local Plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

Policy No.	Policy Title
DC1	Design
DC5	Access
DC9	The Impact of Development on Neighbouring Uses

5.3 Emerging Local Plan 2031 Part 1

The draft local plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 37	Design and local distinctiveness

5.4 Supplementary Planning Guidance

- **Design Guide – March 2015**

The following sections of the Design Guide are particularly relevant to this application:-

- *Responding to local character (DG103)*
- *Consider your neighbours (DG104)*
- *Scale, form and massing (DG105)*
- *Design considerations (DG106)*
- *Front extensions (DG107)*
- *Rear extensions (DG110)*

5.5 Neighbourhood Plans

Wootton does not currently have a neighbourhood plan.

5.6 Other Relevant Legislation

- Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the

processing of the application and the preparation of this report.

- Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in determining this application are the impact on the visual amenity of the area, the impact on the amenities of neighbouring properties and the impact on highway safety.

6.2 Impact on visual amenity

The ridge line of the proposed extension will be set down from the ridge line of the existing property. The design responds to the character of the existing property and the surrounding area and materials to match the existing are proposed to be used. The extension will be visible from the street scene, however this is not considered to be harmful to the character of the area.

6.3 Officers consider the replacement of the garage door with a bay window on the front elevation to be a modest alteration to the property that will not have a significant impact upon the character of the street scene. The adjacent neighbour at No. 20 Manor Road has raised concerns that the conversion of the garage, and the subsequent relatively small amount of front garden that will be changed to hardstanding, will set a precedent for the increase in the size of driveways within the surrounding area that would have an adverse impact upon the character of the area. Each planning application is considered on its own merits and officers consider the limited extension to the driveway will not have a significant impact upon the character of the surrounding area.

6.4 Therefore, given the scale, design and massing of the proposed development and the existing street scene, it is not considered that the form of the extension would have an adverse impact on the character or appearance of the surroundings. Therefore the proposal is considered to comply with policy DC1.

6.5 Impact on neighbours

Officers initially expressed concerns that the two storey element of the proposals as originally submitted did not comply with the 40-degree rule as set out in the adopted design guide to protect the amenities of neighbouring properties. Amended plans have subsequently been submitted and the projection of the second storey element from the rear elevation has been reduced to a maximum projection of 2.2 metres. It now complies with the 40-degree rule.

6.6 Objections have been raised by the neighbour to the north of the property, no.20 Manor Road, on the grounds that the proposals would have a harmful impact in terms of loss of light, loss of outlook, overshadowing, visual intrusion and loss of amenity to the garden and main living area of the neighbouring property. The neighbour has raised concerns that the proposal does not comply with the 25-degree test as set out in the Building Research Establishment (BRE) guidance document 'Site Layout Planning for Daylight and Sunlight: a Guide to good practice (2011)' and therefore requests that further tests are carried out. The BRE 25-degree test is designed to be used for assessing daylight and sunlight where a proposed development is opposite the main window of a habitable room.

6.7 No.20 Manor Road does have four glazed doors on the side wall that face the application site. These are considered to be secondary windows servicing the main

living space - the principal windows to this space are on the rear elevation. It is generally accepted that side-facing windows cannot be afforded the same degree of protection as windows that face to the front and rear. This is particularly the case if the side-facing window concerned is a secondary window to a room that also has a window that faces to the front or rear. In this circumstance officers consider the BRE guidance should not be used. If it were it would impose very significant restrictions on the rights of individuals to make relatively modest extensions to their properties.

- 6.8 The 40-degree rule as set out in the adopted design guide is the council's long established mechanism for protecting the amenities of neighbouring properties where the proposed extension is perpendicular to the principle window of a habitable room. For proposals at the rear of houses the rule applies to the nearest window to the proposal on the rear wall of the neighbouring house. The window on the ground floor rear elevation of no.20 closest to the boundary with the application site is not considered to be a principal window to a habitable room as the living space of this property is open plan. Nevertheless, the 40-degree rule is met from this window by the amended proposals. Therefore officers do not consider that the proposal will cause significant harm to the amenity of this neighbouring property in regards to overshadowing, loss of light or visual intrusion.
- 6.9 A new window is proposed to be inserted on the north side elevation of the property and it will be inserted with a sill height of 1.7 metres. Objections have been raised by the occupants of no.20 Manor Road on the grounds that the insertion of this window will lead to overlooking and a loss of privacy. The height of the proposed window is considered to be above eye-level and therefore officers consider it will not result in any overlooking or loss of privacy to the adjacent neighbour.
- 6.10 Two roof lights are proposed to be inserted into the flat roof of the single storey elements of the proposed extension. Objections have been raised by the occupants of no.20 Manor Road on the grounds that overlooking will occur from the first floor windows of the neighbouring property into the application site via the roof lights. It is not considered that direct overlooking will occur from incidental views to the roof lights.
- 6.11 The existing window on the first floor of the rear elevation closest to no.20 Manor Road is proposed to be moved approximately 0.5 metres closer to the boundary wall. Objections have been raised on the grounds of overlooking and causing an unfair disadvantage to the occupiers of no.20 with regards to the 40-degree rule and future applications for extensions. Officers consider the movement of the window on the rear elevation will not cause any direct overlooking onto the private amenity space of no.20. This application is to be considered on its own merits in the current situation. Therefore the potential impact upon future planning applications cannot be a consideration in determining this application.
- 6.12 It is the opinion of officers that as a result of the proposed extension the amenities of neighbouring properties would not be harmed in terms of overshadowing, overlooking or dominance. Therefore the proposal complies with policy DC9.
- 6.13 **Impact on highway safety**
The proposals include the conversion of the existing garage into an additional bedroom, increased the number of bedrooms in the property from four to five. Wootton Parish Council objects to the conversion of the garage due to the likelihood of additional road parking inconveniencing the rest of the community. The principle of a garage conversion has already been set by the now expired planning permission: P10/V0697. The site is considered to be in a relatively sustainable location. Wootton village has a reasonable range of shops and services and a regular bus service to Oxford. In

accordance with adopted parking standards, in a relatively sustainable location such as this, two off-street car parking spaces should be retained.

6.14 The county highways liaison officer has been consulted and has raised no objection to the proposal subject to a condition being attached ensuring that two off-street car parking spaces are provided. An additional parking provision plan has been submitted with this application indicating that two car parking spaces, each measuring 2.5x5.0m minimum where unobstructed, can be provided within the frontage with some relatively minor loss of the front garden. As this plan shows the parking the condition recommended by the highways liaison officer is not necessary. The parish council was re-consulted after the additional parking provision plan was submitted, but no further comments have been received.

6.15 Therefore, it is considered that the provision of two off-street car parking spaces is adequate for the property and complies with policy DC5.

6.16 **Other considerations**

Concerns have been raised from the neighbouring property that excavations and building work close to the boundary could cause damage to boundary fence and the garden planting. With regard to construction this issue is addressed through building regulations. In addition the Party Wall Act 1996 deals with potential neighbour issues regarding damage that may be caused during construction. As this matter is dealt with through alternative legislation, it is not relevant to the planning application.

7.0 **CONCLUSION**

7.1 The development does not harm the visual amenity of the area or the amenities of neighbouring properties, and there is adequate off-street parking within the site. The development, therefore, complies with the provisions of the development plan, in particular policies DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan 2011. The development is also considered to comply with the provisions of the councils Residential Design Guide and the National Planning Policy Framework.

8.0 **RECOMMENDATION**

To grant planning permission, subject to the following conditions:

1 : Commencement three years.

2 : Approved plans.

3 : Matching materials.

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